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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/649,931	08/29/2000	Thierry Nouvet	PHF 99,631	9825

7590 03/04/2003

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EXAMINER

PHAN, RAYMOND NGAN

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 03/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

09/649,931

Applicant(s)

NOUVET ET AL.

Examiner

Raymond Phan

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \*   c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 6) ☐ Other: \_\_\_\_\_.

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### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

1. This application has been examined. Claims 1-6 are pending.
2. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2181.

#### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### ***Claim Objections***

4. Claim 6 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Arimilli et al. (US No. 5,896,539) in view of Holt et al. (US No. 5,263,163).

In regard to claims 1, 4-6, Arimilli et al. disclose a computer system comprising a plurality of processors accessing to the shared source comprising an interface adapted to implement an access scheme having defining an order of priority in accordance with the plurality of processor accessing to the shared resource (see col. 4, lines 6-62). But Arimilli et al. do not specifically disclose a plurality of predetermined states. However Holt et al. disclose the arbitration including a predetermined number of cycles in each of which at least one arbitration user places its arbitration signal with a signal appearing on the line to determine the result within arbitration, and the progression of the arbitration within each cycle and from the first cycle to a subsequent cycle (see col. 2, lines 29-62). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Holt et al. within the system of Arimilli et al. because it would provide a fast and effective means of controlling the allocation of the shared resource among the users and allows a large number of users, asynchronous to one another to use the resource.

In regard to claim 2, Holt et al. disclose wherein at least one state which defines the order of priority for the subset of the processors only (see col. 4, lines 44-64).

In regard to claim 3, wherein the interface adapted to jump to the next state in the case that no processor included in the sub set of the processors has pending request (see col. 4, lines 44-64).

### ***Conclusion***

7. All claims are rejected.
8. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

**Jennings (US No. 5,634,060)** discloses a method and apparatus for high-speed efficient bi-directional communication between multiple processor over a common bus.

**Lockwood (US No. 5,339,443)** discloses an arbitrating multiprocessor accesses to shared resources.

**Biswas et al. (US No. 5,805,905)** disclose a method and apparatus for arbitrating requests at two or more levels of priority using single request line.

**Yasuda et al. (US No. 4,962,379)** disclose an arbiter circuit for processing concurrent requests for access to shared resources.

**Arshad (US No. 6,173,375)** discloses a method for accessing a shared resource in a multiprocessor system.

**Thacker (US No. 5,193,197)** discloses an apparatus and method for distributed dynamic priority arbitration for access to a shared resources.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*RP*

*Paul R. Myers*

PAUL R. MYERS  
PRIMARY EXAMINER

***Raymond Phan***

3/1/03